

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION

LENDEN SANDERS

PLAINTIFF

V.

CIVIL NO. 2:08CV40-P-A

DR. MARIA MOMAN and  
DELTA HEALTH CENTER

DEFENDANTS

ORDER SUBSTITUTING THE  
UNITED STATES OF AMERICA FOR  
THE DEFENDANTS, MARIA MOMAN, M.D. AND DELTA HEALTH CENTER

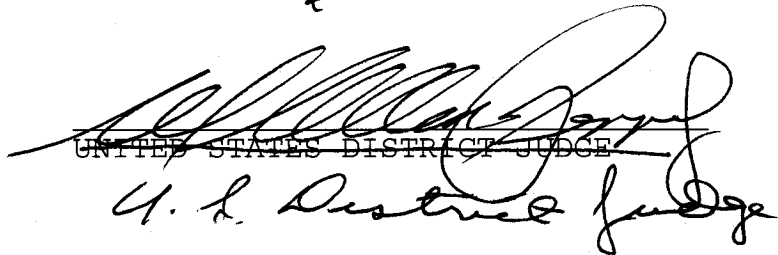
The Court having been fully apprised that the Attorney General's designee has certified that the defendant, Maria Moman, M.D., was acting within the scope of her employment with the Delta Health Center, which was deemed eligible for coverage under the Federal Tort Claims Act on June 23, 1996, pursuant to section 224(h) of the Public Health Service (PHS) Act, 42 U.S.C. § 233(h), as amended by the Federally Supported Health Centers Assistance Act (42 U.S.C. § 233), at the time of the incidents giving rise to this suit, and the Court having been apprised<sup>7</sup> of the substitution of the United States of America as to Defendant, Maria Moman, M.D., pursuant to the Federal Employees Liability Reform and Tort Compensation Act of 1988 § 6, Pub. L. No. 100-694, 102 Stat. 4563 (1988), 28 U.S.C. § 2671 et seq., and 42 U.S.C. § 233, it is hereby

ORDERED that pursuant to the provisions of 28 U.S.C. § 2679(b)(1) and § 2679(d)(1), (d)(2), and (d)(4) and 42 U.S.C. § 233, all claims set forth in the complaint against Maria Moman,

M.D., are dismissed on the grounds that the exclusive remedy for these tort claims against Maria Moman, M.D., is an action against the United States of America, and because the United States of America has been substituted as the defendant as to all claims alleged against Defendant, Maria Moman, M.D., in this tort action.

It is further ORDERED that the caption of this action shall be amended to reflect the substitution of the United States of America as to all claims alleged against Maria Moman, M.D., in this tort action.

SO ORDERED this 27<sup>th</sup> day of March, 2008.

  
~~UNITED STATES DISTRICT JUDGE~~  
U. S. District Judge